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 Attorneys for Defendants
 REALNETWORKS, INC. AND LISTEN.COM

UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF CALIFORNIA

FRISKIT, INC.,

Plaintiff,

v.

REALNETWORKS, INC., and LISTEN.COM,

Defendants.

Case No. CV 03-5085 WWS

Judge William W. Schwarzer

Magistrate Judge James

**STIPULATION AND ~~PROPOSED~~ ORDER
 TO CONTINUE FILING OF DEFENDANTS'
 RESPONSE TO FRISKIT'S STATEMENT
 REGARDING THE PRODUCTION OF
 SOURCE CODE**

Pursuant to Civil Local Rules 6-2 and 7-1, plaintiff Friskit, Inc. ("Friskit") and defendants RealNetworks, Inc. and Listen.com ("RealNetworks"), through their counsel of record, hereby stipulate to continue the filing of Defendants' Response to Friskit's Statement Regarding the Production of Source Code.

WHEREAS pursuant to the Court's December 23, 2005 Order, Friskit's Statement Regarding the Production of Source Code was due on January 6, 2005 and Defendants' Response to Friskit's Statement Regarding the Production of Source Code is to be due on January 17, 2006;

WHEREAS, due to a miscommunication between the parties regarding the actual service of the unredacted statement, Real's counsel requested more time to respond to Friskit's Statement;

WHEREAS Friskit agreed to allow Real until January 19, 2006, to provide its Response, pending the Court's approval;

NOW THEREFORE, pursuant to Civil L.R. 6-2 and 7-1, the parties hereby stipulate, by and through their respective counsel of record, that Real's Response to Friskit's Statement Regarding the Production of Source Code be continued to January 19, 2006.

IT IS SO STIPULATED:

By: /s/ Jeffrey A. Pine
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By: /s/ David A. Perlson
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Please submit one copy of the response directly to Chambers. The second copy of the response should be directly submitted to the Court's independent expert, Dr. A.J. Nichols at the following address:

Probitas Corporation
27 Preston Road, Woodside, CA 94062

IT IS SO ORDERED:

Dated: January 17, 2006

MARIA-ELENA JAMES
United States Magistrate Judge



AFFIRMATION OF E-FILED SIGNATURE

I, Jeffrey A. Pine, attest that signatory, David A. Perlson, has read and approved the STIPULATION AND [*PROPOSED*] ORDER REGARDING FILING OF DEFENDANTS' RESPONSES TO FRISKIT'S STATEMENT REGARDING THE PRODUCTION OF SOURCE CODE and consents to its filing in this action.

/s/ Jeffrey A. Pine